

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 1 1992

Returned to applicant for correction.....

Corrected application filed..... Map filed JUN 22 1992

The applicant U.S. Fish and Wildlife Service
911 NE 11th Avenue of Portland
Street and No. or P.O. Box No. City or Town

Oregon 97232-4181 hereby make.... application for permission to change the
State and Zip Code No.

Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial No.
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

970, USA vs. Orr Ditch Co. in Equity N.A-3, Claim No. 3; USA vs.
identify right in Decree.

Alpine Reservoir Co. No. D-183 BRT, both by the Federal District

Court of Nevada.

1. The source of water is Truckee River and Carson River
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 3,509.90 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/
Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Same as #3
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 33, T19N, R26E, M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within.....
If point of diversion is not changed, do not answer.
7. Proposed place of use See Addendum A
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use See Addendums B and C
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from as decreed to of each year.
Month and Day Month and Day
10. Use was permitted from as decreed to of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) No new diversion or storage works on
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
the Truckee and the Carson River will be constructed.
12. Estimated cost of works.....
13. Estimated time required to construct works.....

14. Estimated time required to complete the application of water to beneficial use..... 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is to allow the use of this water on the entire 77,364 acre Stillwater National Wildlife Refuge, as provided for in the "Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990". The Refuge, as established by this Act, includes all of the previous 56,720 acre place of use and 57,450 acre place of use. There will be no increase in the amount of water used and the manner of use will not be changed.

By s/ Robert C. Bryant
U.S. Fish and Wildlife Service
911 NE 11th Avenue
Portland, Oregon 97232-4181

Compared gkl/jv ab/vw

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 23.27 cubic feet per second, but not to exceed 3509.90 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before May 28, 1994

Proof of completion of work shall be filed before June 28, 1994

Application of water to beneficial use shall be made on or before May 28, 1995

Proof of the application of water to beneficial use shall be filed on or before June 28, 1995

Map in support of proof of beneficial use shall be filed on or before June 28, 1995

Completion of work filed MAY 12 1994

Proof of beneficial use filed JUL 28 1995

Cultural map filed

Certificate No. 14892 Issued APR 13 1998

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 28th day of December

A.D. 19 93

[Signature]
State Engineer

"A"

ADDENDUM TO APPLICATION TO TRANSFER NEWLANDS PROJECT WATER RIGHT
TCID SERIAL NO. 970

1. The proposed place of use consists of 77,364 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 11, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, Lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Section 8, all;
Section 9, E $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Section 10, all;
Section 11, all;
Section 12, all;
Section 13, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, S $\frac{1}{2}$;

Township 21 North, Range 31 East, Mount Diablo Meridian (Cont'd)

Section 18, all;
 Section 19, Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Section 20, all;
 Section 21, all;
 Section 22, all;
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, all;
 Section 28, all;
 Section 29, all;
 Section 30, all;
 Section 31, all;
 Section 32, all;
 Section 33, all;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;
 Section 4, all;
 Section 5, all;
 Section 6, all;
 Section 7, all;
 Section 8, all;
 Section 9, all;
 Section 10, all;
 Section 16, all;
 Section 17, all;
 Section 18, all;
 Section 19, all;
 Section 20, all;
 Section 21, all;
 Section 29, all;
 Section 30, all;

Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
 Section 2, Lot 1, Lot 2, Lot 3, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$;
 Section 3, all;
 Section 4, all;
 Section 5, Lot 1, Lot 2, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$;
 Section 6, all;
 Section 7, Lot 1, Lot 2, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 8, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 9, all;
 Section 10, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Section 11, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 12, all;

Township 20 North, Range 31 East, Mount Diablo Meridian (Cont'd)

Section 13, all;
 Section 14, all;
 Section 18, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 19, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 22, E $\frac{1}{2}$;
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 30, Lot 1, Lot 2, Lot 3, Lot 4;
 Section 33, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;
 Section 3, all;
 Section 4, Lot 1, Lot 2, Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;
 Section 7, Lot 4 East of Stillwater Slough in Parcel 1;
 Section 9, all;
 Section 10, all;
 Section 11, all;
 Section 14, all;
 Section 15, all;
 Section 16, all;
 Section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 18, Lot 1 East of Stillwater Slough in Parcel 1, Lot 2 in Parcel 1,
 Lot 3 in Parcel 1, Lot 4 in Parcel 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$ in Parcel 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ in
 Parcel 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 19, Lot 1 in Parcel 1, Lot 2 in Parcel 1, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Section 20, all;
 Section 21, all;
 Section 22, all;
 Section 27, all;
 Section 28, all;
 Section 29, all;
 Section 30, all;
 Section 31, all;
 Section 32, all;
 Section 33, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$ east of Stillwater Slough in Parcel 1;
 Section 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$ in Parcels 1 and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$ in Parcel 3,
 E $\frac{1}{2}$ NW $\frac{1}{4}$ in Parcel 3.

"B"

ADDENDUM TO APPLICATION TO TRANSFER
NEWLANDS PROJECT WATER RIGHT FOR THAT PORTION OF
FORMER TCID SERIAL NOS. 854-3; 455; 24-3-3; 326; 804, AND 805;
NOW KNOWN AS A PORTION OF TCID SERIAL NO. 970

1. The existing place of use consists of 56,720 acres more or less, in:

All of sections 2 through 11; 14 through 22; 27 through 34, T21N, R32E;

All of sections 1 through 3; 10 through 15; 22 through 27; 34 through 36, T21N, R31E;

All of sections 3 through 10; 16 through 21; 29; 30, T20N, R32E;

All of section 1; section 2, W $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$; all of sections 11 through 14; section 22, E $\frac{1}{2}$; all of sections 23 through 26; section 27, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$; section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$; section 33, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$; all of sections 34 through 36, T20N, R31E;

All of sections 2 and 3; section 4, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; all of sections 9 through 11; 14 through 16; section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$; all of sections 20 through 22, T19N, R31E; M.D.B & M.

" C "

**ADDENDUM TO APPLICATION TO TRANSFER NEWLANDS PROJECT WATER RIGHT
FOR THAT PORTION OF FORMER TCID SERIAL NOS.
210, 210A-1, 210A-2, 210A-3, 210A-4, 210A-5, 210A-6, 921-5, 828, 830, 746, AND 747;
NOW KNOWN AS A PORTION OF TCID SERIAL NO. 970**

1. The existing place of use consists of 57,450 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 11, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
Section 2, all;
Section 3, all;
Section 10, all;
Section 11, all;
Section 12, all;
Section 13, all;
Section 14, all;
Section 15, all;
Section 22, all;
Section 23, all;
Section 24, all;
Section 25, all;

Township 21 North, Range 31 East, Mount Diablo Meridian (Cont'd)

Section 26, all;
 Section 27, all;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;
 Section 4, all;
 Section 5, all;
 Section 6, all;
 Section 7, all;
 Section 8, all;
 Section 9, all;
 Section 10, all;
 Section 16, all;
 Section 17, all;
 Section 18, all;
 Section 19, all;
 Section 20, all;
 Section 21, all;
 Section 29, all;
 Section 30, all;

Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
 Section 2, W½, E½SE¼, W½NE¼, NE¼NE¼;
 Section 11, all;
 Section 12, all;
 Section 13, all;
 Section 14, all;
 Section 22, E½;
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, E½, SW¼, E½NW¼, SW¼NW¼;
 Section 28, E½SE¼;
 Section 33, E½, E½SW¼, SE¼NW¼;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;
 Section 3, all;
 Section 4, E½, E½NW¼, E½SW¼, SW¼SW¼;
 Section 9, all;
 Section 10, all;
 Section 11, all;
 Section 14, all;

Township 19 North, Range 31 East, Mount Diablo Meridian (Cont'd)

Section 15, all;
Section 16, all;
Section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Section 18, Lot 1 East of Stillwater Slough, Lot 2,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ east of Stillwater Slough; SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Section 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
Section 20, all;
Section 21, all;
Section 22, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$ east of Stillwater Slough;
Section 24, NE $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.